

**BEFORE THE DIRECTOR  
DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Filed Against:

Case No.: VN-2002-6

**ALICE PRICILLA RUDD**

14402 Hawthorne #210  
Lawndale, CA 90260

Vocational Nurse License No. VN 126025

**DEFAULT DECISION  
AND ORDER**

Respondent.

Alice Pricilla Rudd ("Respondent") was served Accusation No. VN-2002-6; Statement to Respondent; Notice of Defense form; copies of Government Code sections 11507.5, 11507.6 and 11507.7; and Request for Discovery by both first class and certified mail on November 13, 2008 at her address of record as provided in sections 11503 and 11505 of the Government Code of the State of California.

Respondent failed to file a Notice of Defense within the time specified in Government Code section 11506.

The Bureau of Vocational Nursing and Psychiatric Technicians ("Bureau") has determined that Respondent has waived her rights to a hearing to contest the merits of the Accusation and that the Bureau will take action on the Accusation without a hearing, pursuant to Government Code section 11520.

The Bureau makes the following findings of fact:

**FINDINGS OF FACT**

1. Teresa Bello-Jones, J.D., M.S.N., R.N., made and filed the Accusation solely in her capacity as the Bureau's Executive Officer.

2. On April 22, 1985, the Bureau issued Vocational Nurse License Number VN 126025 to Respondent. Said license will expire on February 28, 2009, unless renewed.

3. Pursuant to Business and Professions Code sections 101.1(b) and 150, the Department of Consumer Affairs has succeeded to and is vested with all duties, powers, purposes, responsibilities and jurisdiction not otherwise repealed or made inoperative of the Bureau and its

1 executive officer; that the department is under the control of the Director of Consumer Affairs.

2 4. Pursuant to Business and Professions Code section 2875, the Bureau may  
3 discipline any licensed vocational nurse for any reason provided in Article 3 of the Vocational  
4 Nursing Practice Act.

5 5. Pursuant to Business and Professions Code section 118(b), the expiration of a  
6 license shall not deprive the Bureau of jurisdiction to proceed with a disciplinary action during the  
7 period within which the license may be renewed, restored, reissued, or reinstated. Under Business  
8 and Professions Code section 2892.1, the Bureau may renew an expired license at any time within  
9 four years after the expiration.

10 6. Respondent has subjected her license to discipline under Business and  
11 Professions Code sections 490 and 2878(f), in conjunction with California Code of Regulations, title  
12 16, section 2521, in that Respondent was convicted of crimes substantially related to the  
13 qualifications, functions or duties of a licensed vocational nurse, as described in Accusation No. VN-  
14 2002-6, a copy of which is attached as Exhibit "1" and incorporated by reference.

15 7. Respondent has subjected her license to discipline under Business and  
16 Professions Code section 2878(a)(6), in that Respondent failed to report acts prohibited by section  
17 2878, as described in Accusation No. VN-2002-6.

18 8. Respondent has subjected her license to discipline under Business and  
19 Professions Code section 2878(e), in that Respondent twice made false statements on her vocational  
20 nurse license applications for renewal by failing to report her convictions, as described in Accusation  
21 No. VN-2002-6.

22 9. Respondent has subjected her license to discipline under Business and  
23 Professions Code section 2878(b), in that Respondent procured renewal certificates as a licensed  
24 vocational nurse by fraud, misrepresentation, or mistake when the Bureau renewed her vocational  
25 nurse license on or about February 28, 1999, and on or about February 28, 2003, based upon her  
26 statements that she had sustained no convictions within the prior two years, as described in  
27 Accusation No. VN-2002-6.

28 10. Respondent has subjected her license to discipline under Business and

1 Professions Code section 2878(j), in that Respondent committed dishonest acts related to the duties  
2 and function of the licensee when she committed crimes of shoplifting, and failed to report  
3 convictions on her renewal applications, as described in Accusation No. VN-2002-6.

#### 4 DETERMINATION OF ISSUES

5 Based on the foregoing Findings of Fact, Respondent has subjected her license to  
6 discipline under Business and Professions Code sections 490, 2878(a)(6), 2878(b), 2878(e), 2878(f),  
7 5878(j), and California Code of Regulations, title 16, section 2521.

#### 8 LOCATION OF RECORD

9 The record on which this Default Decision is based is located at the Sacramento office  
10 of the Bureau of Vocational Nursing and Psychiatric Technicians.

#### 11 ORDER

12 **WHEREFORE**, the Bureau of Vocational Nursing and Psychiatric Technicians  
13 makes the following order:

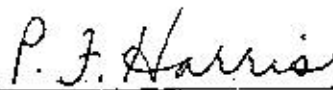
14 Vocational Nurse License Number VN 126025 authorizing Respondent to act as a  
15 vocational nurse is hereby revoked.

16 Respondent shall have the right to petition for reinstatement of the aforesaid license  
17 pursuant to the provision of section 2878.7(a)(1) of the Business and Professions Code.

18 Respondent shall not be deprived of making any further showing by way of  
19 mitigation; however, such showing must be made directly to the Bureau of Vocational Nursing and  
20 Psychiatric Technicians, 2535 Capitol Oaks Drive, Suite 205, Sacramento, California, 95833 prior to  
21 the effective date of this Decision.

22 This Default Decision shall become effective on February 8, 2009.

23 Dated and signed December 30, 2008.

24  
25   
26 PATRICIA HARRIS  
27 Deputy Director, Board/Bureau Support  
28 Department of Consumer Affairs

28 Attachments: Exhibit "1", Accusation No. VN-2002-6 and Declaration of Service

Exhibit "1"  
Accusation No. VN-2002-6 and Declaration of Service

NOV 18 2008

Board of Vocational Nursing  
and Psychiatric Technicians

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Attorneys for Complainant

BEFORE THE  
DEPARTMENT OF CONSUMER AFFAIRS  
FOR THE BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC  
TECHNICIANS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. VN-2002-6.

ALICE PRICILLA RUDD  
aka ALICE PRISCILLA RUDD  
aka ALISE ARICILLA RUDO  
aka ALISE ARICILLA  
aka GLORIA POWELL  
aka ALICIA RUDD  
aka PRICILLA REDD  
aka COOKIE  
aka ARICILLA RUDOALISE  
aka ALICE REDD  
aka ALISE ARICILLA RUDO  
14402 Hawthorne #210  
Lawndale, CA 90260  
Vocational Nurse License No. VN 126025

## ACCUSATION

Respondent.

Complainant alleges:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this  
Accusation solely in her official capacity as the Executive Officer of the Bureau of Vocational  
Nursing and Psychiatric Technicians, Department of Consumer Affairs.

2. On or about April 22, 1985, the Bureau of Vocational Nursing and  
Psychiatric Technicians (Bureau) issued Vocational Nurse License No. VN126025 to Alice  
Pricilla Rudd aka Alice Priscilla Rudd aka Alise Aricilla Rudo aka Alise Aricilla aka Gloria

1 Powell aka Alicia Rudd aka Pricilla Redd aka Cookie aka Aricilla Rudoalise aka Alice Redd aka  
2 Alise Aricilla Rudo (Respondent). The Vocational Nurse License was in full force and effect at  
3 all times relevant to the charges brought herein and will expire on February 28, 2009, unless  
4 renewed.

### 5 JURISDICTION

6 3. This Accusation is brought before the Director of Consumer Affairs  
7 (Director) for the Bureau under the authority of the following laws. All section references are to  
8 the Business and Professions Code (Code) unless otherwise indicated.

### 9 STATUTORY PROVISIONS

10 4. Section 22 states:

11 "(a) 'Board' as used in any provisions of this Code, refers to the board in which  
12 the administration of the provision is vested, and unless otherwise expressly provided, shall  
13 include 'bureau,' 'commission,' 'committee,' 'department,' 'division,' 'examining committee,'  
14 'program,' and 'agency.'

15 "(b) Whenever the regulatory program of a board that is subject to review by  
16 the Joint Committee on Boards, Commissions, and Consumer Protection, as provided for in  
17 Division 1.2 (commencing with Section 473), is taken over by the department, that program shall  
18 be designated as a 'bureau.'"

19 5. Section 101.1, subdivision (b), states:

20 "(1) In the event that any board, as defined in section 477, becomes inoperative  
21 or is repealed in accordance with the act that added this section, or by subsequent acts, the  
22 Department of Consumer Affairs shall succeed to and is vested with all the duties, powers,  
23 purposes, responsibilities and jurisdiction not otherwise repealed or made inoperative of that  
24 board and its executive officer.

25 "(2) Any provision of existing law that provides for the appointment of board  
26 members and specifies the qualifications and tenure of board members shall not be implemented

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1 and shall have no force or effect while that board is inoperative or repealed. Every reference to  
2 the inoperative or repealed board, as defined in section 477, shall be deemed to be a reference to  
3 the department."

4 6. Section 118, subdivision (b), in pertinent part, that the expiration of a  
5 license shall not deprive the Bureau jurisdiction to proceed with a disciplinary action during the  
6 period within which the license may be renewed, restored, reissued or reinstated. Under section  
7 2892.1 of the Code, the Bureau may renew an expired license at any time within four years after  
8 the expiration.

9 7. Section 150 states: "The department is under the control of a civil  
10 executive officer who is known as the Director of Consumer Affairs."

11 8. Section 477 states:

12 As used in this division:

13 "(a) "Board" includes "bureau," "commission," "committee," "department,"  
14 "division," "examining committee," "program," and "agency."

15 "(b) "License" includes certificate, registration or other means to engage in a  
16 business or profession regulated by this code."

17 9. Section 490 states:

18 "A board may suspend or revoke a license on the ground that the licensee has  
19 been convicted of a crime, if the crime is substantially related to the qualifications, functions, or  
20 duties of the business or profession for which the license was issued. A conviction within the  
21 meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo  
22 contendere. Any action which a board is permitted to take following the establishment of a  
23 conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has  
24 been affirmed on appeal, or when an order granting probation is made suspending the imposition  
25 of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the  
26 Penal Code."

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1                   10.     Section 2875 provides, in pertinent part, that the Bureau may discipline the  
2 holder of a vocational nurse license for any reason provided in Article 3 (commencing with  
3 section 2875) of the Vocational Nursing Practice Act.

4                   11.     Section 2878 states, in pertinent part:

5                   "The Board may suspend or revoke a license issued under this chapter [the  
6 Vocational Nursing Practice Act (Code § 2840, et seq.)] for any of the following:

7                   "(a)     Unprofessional conduct, which includes, but is not limited to, the  
8 following:

9                   .....

10                  (6)     Failure to report the commission of any act prohibited by this section.

11                  "(b)     Procuring a certificate by fraud, misrepresentation, or mistake.

12                  .....

13                  "(d)     Violating or attempting to violate, directly or indirectly, or assisting in or  
14 abetting the violating of, or conspiring to violate any provision or term of this chapter.

15                  "(e)     Making or giving any false statement or information in connection with  
16 the application for issuance of a license.

17                  "(f)     Conviction of a crime substantially related to the qualifications, functions,  
18 and duties of a licensed vocational nurse, in which event the record of the conviction shall be  
19 conclusive evidence of the conviction.

20                  .....

21                  "(j)     The commission of any act involving dishonesty, when that action is  
22 related to the duties and functions of the licensee. . . ."

### 23                                   REGULATORY PROVISIONS

24                   12.     California Code of Regulations, title 16, section 2521, states:

25                   "For the purposes of denial, suspension, or revocation of a license pursuant to  
26 Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or  
27 act shall be considered to be substantially related to the qualifications, functions or duties of a  
28 licensed vocational nurse if to a substantial degree it evidences present or potential unfitness of a



1 licensed vocational nurse to perform the functions authorized by his license in a manner  
2 consistent with the public health, safety, or welfare. . . .”

### 3 COST RECOVERY

4 13. Section 125.3 provides, in pertinent part, that the Bureau may request the  
5 administrative law judge to direct a licentiate found to have committed a violation or violations  
6 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
7 enforcement of the case.

### 8 FIRST CAUSE FOR DISCIPLINE

#### 9 (Convictions of Substantially Related Crimes)

10 14. Respondent is subject to disciplinary action under sections 490 and 2878,  
11 subdivision (f), in conjunction with California Code of Regulations, title 16, section 2521, in that  
12 Respondent was convicted of crimes substantially related to the qualifications, functions or  
13 duties of a licensed vocational nurse which to a substantial degree evidence her present or  
14 potential unfitness to perform the functions authorized by her license in a manner consistent with  
15 the public health, safety, or welfare. The convictions are as follows:

16 a. On or about October 31, 2002, after pleading nolo contendere, Respondent  
17 was convicted of one misdemeanor count of violating Penal Code section 245, subdivision (a)(1)  
18 [assault with deadly weapon] in the criminal proceeding entitled *The People of the State of*  
19 *California v. Alice P. Rudd* (Super. Ct. Los Angeles County, 2002, No. 2CR13185). The court  
20 sentenced Respondent to 45 days in jail and placed her on probation for two years. The  
21 circumstances underlying the conviction are that on or about October 29, 2002, Los Angeles  
22 Police Department officers arrested Respondent for blocking a hotel entrance, yelling and  
23 screaming, and throwing objects which made contact on the persons of three victims to cause  
24 bodily injury.

25 b. On or about October 3, 1997, after pleading guilty, Respondent was  
26 convicted of one felony count of violating Penal Code sections 666, 484(a) and 488 [theft with a  
27 prior conviction] in the criminal proceeding entitled *The People of the State of California v. Alice*  
28 *Pricilla Rudd aka Gloria Powell, Alice Redd, Alise Aricilla Rudo* (Muni. Ct. Orange County,

1 North Judicial District, 1997, No. 97NF1912). The court sentenced Respondent to one year in  
2 jail and placed her on probation for three years. The circumstances underlying the conviction are  
3 that on or about July 13, 1997, Buena Park Police Department officers arrested Respondent for  
4 shoplifting from Albertson's Store items valued in the amount of \$37.78.

5 c. On or about November 5, 1993, after pleading guilty, Respondent was  
6 convicted of one felony count of violating Penal Code sections 666 and 484(a) [petty theft with a  
7 prior conviction] in the criminal proceeding entitled *The People of the State of California v. Alice*  
8 *Priscilla Rudd aka Gloria Powell* (Super. Ct. Los Angeles County, 1993, No. YA017344). The  
9 court sentenced Respondent to 181 days in jail and placed her on probation for three years. The  
10 circumstances underlying the conviction are that on or about October 5, 1993, Torrance Police  
11 Department officers arrested Respondent for shoplifting from Sears items valued in the amount  
12 of \$37.00.

13 d. On or about November 5, 1993, after pleading nolo contendere,  
14 Respondent was convicted of one misdemeanor count of violating Penal Code section 666 [petty  
15 theft with a prior conviction] in the criminal proceeding entitled *The People of the State of*  
16 *California v. Alice Priscilla Rudd aka Gloria Powell aka Rudo Alise Aricilla* (Muni. Ct. Los  
17 Angeles County, South Bay Judicial District, 1993, No. 93M07506). The court sentenced  
18 Respondent to 180 days jail. The circumstances underlying the conviction are that on or about  
19 August 6, 1993, Redondo Beach Police Department officers arrested Respondent for shoplifting  
20 from Nordstrom items valued in the amount of \$125.00.

21 e. On or about February 4, 1993, after pleading guilty, Respondent was  
22 convicted of one felony count for violating Penal Code sections 666 and 484(a) [petty theft with  
23 prior jail term conviction in Case No. T92M11741] in the criminal proceeding entitled *The*  
24 *People of the State of California v. Alice Priscilla Rudd* (Muni. Ct. Los Angeles County, South  
25 Bay Judicial District, 1993, No. YA014459). The court ordered Respondent to three years  
26 probation, 350 days jail, pay fines and restitution. The circumstances underlying the conviction  
27 are that on or about January 19, 1993, Torrance Police Department officers arrested Respondent  
28 for shoplifting from J.C. Penney Company items valued in the amount of \$70.50.

1 f. On or about December 31, 1992, after pleading nolo contendere,  
2 Respondent was convicted of one misdemeanor count for violating Penal Code section 666 [petty  
3 theft with a prior jail term conviction] in the criminal proceeding entitled *The People of the State*  
4 *of California v. Alice Pricilla Rudd aka Gloria Powell aka Rudo Alise Aricilla* (Muni. Ct. Los  
5 Angeles County, South Bay Judicial District, 1992, Case No. 92M13680). The court sentenced  
6 Respondent to one year in jail and placed her on probation for one year. The circumstances  
7 underlying the conviction are that on or about December 29, 1992, Redondo Beach Police  
8 Department officers arrested Respondent for shoplifting from May Company items valued in the  
9 amount of \$288.99.

10 g. On or about November 4, 1992, after pleading nolo contendere,  
11 Respondent was convicted of one misdemeanor count of violating Penal Code sections 666 and  
12 484(a) [petty theft with a prior jail term conviction] in the criminal proceeding entitled *The*  
13 *People of the State of California v. Alice Priscilla Rudd* (Muni. Ct. Los Angeles County, South  
14 Bay Judicial District, 1992, Case No. 92M11741). The court sentenced Respondent to 30 days in  
15 jail and placed her on probation for three years. The circumstances underlying the conviction are  
16 that on or about November 2, 1992, Torrance Police Department officers arrested Respondent for  
17 shoplifting from Bullock's items valued in the amount of \$45.50.

18 h. On or about June 4, 1992, after pleading nolo contendere, Respondent was  
19 convicted of one misdemeanor count of violating Penal Code sections 666 and 484(a) [petty theft  
20 with a prior jail term conviction] in the criminal proceeding entitled *The People of the State of*  
21 *California v. Alice Pricilla Rudd* (Muni. Ct. Los Angeles County, Torrance Courthouse Judicial  
22 District, 1992, Case No. 93M06377). The court sentenced Respondent to 60 days in jail and  
23 placed her on probation for two years. The circumstances underlying the conviction are that on  
24 or about June 2, 1992, Redondo Beach Police Department officers arrested Respondent for  
25 shoplifting.

26 i. On or about February 24, 1992, after pleading guilty, Respondent was  
27 convicted of one misdemeanor count for violating Penal Code section 484(a) [petty theft] in the  
28 criminal proceeding entitled *The People of the State of California v. Alice Rudd* (Muni. Ct. Los

1 Angeles County, Inglewood Judicial District, 1990, Case No. 90M06665). The court sentenced  
2 Respondent to 45 days in jail. The circumstances underlying the conviction are that on or about  
3 August 18, 1990, Hawthorne Police Department arrested Respondent for shoplifting from  
4 Broadway.

5 j. On or about February 20, 1992, after pleading nolo contendere,  
6 Respondent was convicted of one misdemeanor count of violating Penal Code section 666 [petty  
7 theft with a prior conviction and jail term] in the criminal proceeding entitled *The People of the*  
8 *State of California v. Alice Pricilla Rudd* (Muni. Ct. Los Angeles County, Torrance Courthouse  
9 Judicial District, 1990, Case No. 90M07720). The court sentenced Respondent to 30 thirty days  
10 in jail and placed her probation for three years. The circumstances underlying the conviction are  
11 that on or about July 25, 1990, Torrance Police Department officers arrested Respondent for  
12 shoplifting from K-Mart items valued in the amount of \$30.02.

### 13 SECOND CAUSE FOR DISCIPLINE

#### 14 (Failure to Report Convictions)

15 15. Respondent is subject to disciplinary action under section 2878,  
16 subdivision (a)(6), for failing to report acts prohibited by section 2878. Specifically, Respondent  
17 failed to report convictions, which are prohibited acts under section 2878. On two different  
18 applications for Renewal of Vocational License, Respondent reported that within the prior two  
19 years of her renewal she had not sustained any convictions. The renewals and unreported  
20 convictions are as follows:

21 <u>Application Renewal</u>	22 <u>Conviction Not Reported</u>
23 February 28, 2003	October 31, 2002, Case No. 2CR13185
February 28, 1999	October 3, 1997, Case No. 97NF1912

24 Complainant refers to and by this reference incorporates the allegations set forth in paragraph 14,  
25 subdivisions (a) and (b), inclusive, above, as though set forth fully.

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1                                   **THIRD CAUSE FOR DISCIPLINE**

2                                   **(Making False Statements on Applications for License Renewal)**

3                   16.     Respondent is subject to disciplinary action under section 2878,  
4 subdivision (e), in that Respondent twice made false statements on her vocational nurse license  
5 applications for renewal by failing to report convictions. Complainant refers to and by this  
6 reference incorporates the allegations set forth above in paragraph 15, as though set forth fully.

7                                   **FOURTH CAUSE FOR DISCIPLINE**

8                                   **(Procuring License Certificate by Fraud, Misrepresentation, or Mistake)**

9                   17.     Respondent is subject to disciplinary action under section 2878,  
10 subdivision (b), in that Respondent procured renewal certificates as a licensed vocational nurse  
11 by fraud, misrepresentation, or mistake when the Bureau renewed her vocational nurse license on  
12 or about February 28, 1999, and on or about February 28, 2003, based upon her statements that  
13 she had sustained no convictions within the prior two years. Complainant refers to and by this  
14 reference incorporates the allegations set forth in paragraphs 15 and 16, inclusive, above, as  
15 though set forth fully.

16                                   **FIFTH CAUSE FOR DISCIPLINE**

17                                   **(Dishonest Acts)**

18                   18.     Respondent is subject to disciplinary action under section 2878,  
19 subdivision (j), in that Respondent committed dishonest acts related to the duties and function of  
20 the licensee when she committed crimes of shoplifting, and failed to report convictions on her  
21 renewal applications. Complainant refers to and by this reference incorporates the allegations set  
22 forth in paragraphs 14 through 17, inclusive, above, as though set forth fully.

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**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Director issue a decision:

1. Revoking or suspending Vocational Nurse License No. VN 126025, issued to Respondent;
2. Ordering Respondent to pay the Bureau the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: November 13, 2008



TERESA BELLO-JONES, J.D., M.S.N., R.N.  
Executive Officer  
Bureau of Vocational Nursing and Psychiatric Technicians  
Department of Consumer Affairs  
State of California  
Complainant

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